

By: Turner of Harris

H.B. No. 3726

A BILL TO BE ENTITLED

AN ACT

relating to certain testing of residential structures.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 388.002, Health and Safety Code, is amended to read as follows:

Sec. 388.002. DEFINITIONS. In this chapter:

(1) "Affected county" has the meaning assigned by Section 386.001.

(2) "Approved certifications" means Texas Home Energy Rating Organization Performance Verification Technician, Residential Energy Services Network Home Energy Rating System Rater, and Residential Energy Services Network Rating Field Inspector.

(3) "Building" has the meaning assigned by the International Building Code.

(4) ~~(3)~~ "Code official" means an individual employed by a local jurisdiction to review construction plans and other documents, inspect construction, or administer and enforce building standards under this chapter.

(5) ~~(4)~~ "Code-certified inspector" means an inspector who is certified by the International Code Council, the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, or the Southern Building Code Congress International to have met minimum standards

1 for interpretation and enforcement of requirements of the  
2 International Energy Conservation Code and the energy efficiency  
3 chapter of the International Residential Code.

4 (6) ~~(5)~~ "Commission" means the Texas Natural Resource  
5 Conservation Commission.

6 (7) ~~(6)~~ "International Residential Code" means the  
7 International Residential Code for One- and Two-Family Dwellings as  
8 adopted by the International Code Council.

9 (8) ~~(7)~~ "International Energy Conservation Code"  
10 means the International Energy Conservation Code as adopted by the  
11 International Code Council.

12 (9) ~~(8)~~ "Laboratory" means the Energy Systems  
13 Laboratory at the Texas Engineering Experiment Station of The Texas  
14 A&M University System.

15 (10) ~~(9)~~ "Local jurisdiction" means the authority  
16 responsible for implementation and enforcement of local building  
17 codes.

18 (11) ~~(10)~~ "Municipality" has the meaning assigned by  
19 Section 1.005, Local Government Code.

20 (12) ~~(11)~~ "Nonattainment area" has the meaning  
21 assigned by Section 386.001.

22 (13) ~~(12)~~ "Single-family residential" means having  
23 the character of a detached one- or two-family dwelling or a  
24 multiple single-family dwelling not more than three stories high  
25 with separate means of egress, including the accessory structures  
26 of the dwelling.

27 SECTION 2. Chapter 388, Health and Safety Code, is amended

1 by adding Section 388.009 to read as follows:

2 Sec. 388.009. RESIDENTIAL AIR LEAKAGE AND DUCT TIGHTNESS  
3 TESTING. (a) A person with an approved certification is considered  
4 an approved party for purposes of performing air leakage and duct  
5 tightness testing to ensure compliance with the International  
6 Residential Code or the International Energy Conservation Code.

7 (b) A person performing air leakage and duct tightness  
8 testing must be independent from the installer of the product being  
9 testing.

10 SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect on September 1, 2013.